

REMARKS

I. Status of the Application

Claims 1 - 12 and 14 - 20 are currently pending in this application, with claim 13 having previously been canceled. With this Amendment, Applicants amend claims 1 and 10. No new matter is added. Support for the amendments may be found, for example, in Applicant's specification at page 23, lines 8 - 20 and page 31, lines 21 - 26.

II. Claim Rejections

Claims 1-8, 10-12, 14-16, and 18-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 4,595,392) in view of Schlangen (U.S. Patent No. 5,618,282). Claims 9 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Schlangen and Wray et al. (U.S. Patent No. 6,332,878). Applicants amend claims 1 and 10 to further clarify the nature of their invention, and respectfully traverse these rejections.

In amended independent claim 1, Applicants claim:

1. An interlabial pad having a size, a weight and flexibility so as to be pinched and held partially or totally in between the labia without forcing, the pad comprising:

a body side face orientated toward a body side; and

an opposite side face to the body side face orientated toward a garment side,

wherein said opposite side face to the body side face has a low friction shape with fine changes on its surface to reduce resisting force when sliding with another face, which includes the same face of the low friction shape can each make right and left phase shifts when the interlabial pad is folded.

(Emphasis added)

Johnson discloses an interlabial pad including a permeable wrap 7 for placement toward a body side, and an impermeable baffle 8 facing toward a garment side (see, e.g., column 2, lines 31

- 60 of Johnson). The Examiner acknowledges that Johnson fails to teach or suggest Applicants' claimed opposite side face oriented toward a garment side and including an opposites side face having a low friction shape with fine changes on its surface to reduce resisting force when sliding with another face, which includes the same face of the low friction shape can each make right and left phase shifts when the interlabial pad is folded. The Examiner however suggests that this deficiency may be overcome with the addition of Schlangen.

Schlangen discloses a sanitary napkin which is positioned between a wearer's body and a garment for absorbing body fluids. The Examiner suggests that baffle 24 of the sanitary napkin 10 of Schlangen teaches Applicants' claimed "low friction shape with fine changes." Applicants respectfully disagree.

Schlangen teaches that baffle 24 may be "a micro-embossed, polymeric film" to be sufficiently "soft and compliant" because it "may reside adjacent the thigh region of the wearer" (see, e.g., column 4, lines 17 - 34 of Schlangen). However, Schlangen fails to teach or suggest that the embossed polymeric film produces a "low friction shape" such that a resisting force associated with two faces formed by folding the embossed film sliding against each other would be reduced over another design using films that lack such fine changes, such that each face can make right and left phase shifts when the interlabial pad is folded. As further explained by Applicants, for example, at page 15, line 25 - page 16, line 4 of Applicants' specification:

On the garment side face of the back side sheet of the interlabial pad according to the present invention, the back side face has a surface structure hard to make an intimate contact with each other so as to reduce the friction force of the back side sheet against itself such that the interlabial pad can make right and left phase shifts easily. More concretely, reducing the ratio of contact area between top surfaces on one place and another place of the back side sheet may make it more difficult to make an intimate contact of mated surfaces.

Schlangen fails to teach or suggest a micro-embossed polymeric film having such a low friction shape, but rather teaches a polymeric film that is embossed to promote softness and compliance. (see, e.g., column 4, lines 19 - 24 of Schlangen). Schlangen specifically defines

“compliant” materials as “materials which will readily conform to the external shape and contours of the human anatomy.” In sharp contrast, Applicants’ claimed back side sheet is not soft and compliant with contours of the human anatomy, but precludes contact between surfaces having a like composition in order to reduce friction (see, e.g., Applicants’ claim 5, defines the back side sheet as including side faces with “fine convex shapes” having an “emboss rate [that] is at least 1 % and [does not exceed] 50%”).

Accordingly, Applicants respectfully submit that the combination of Johnson and Schlangen fails to teach or suggest Applicants claimed interlabial pad of amended independent claim 1 having a body side face having a low friction shape that reduces resisting force when sliding with another face which includes has the same low friction shape, such that each face is operable to make right and left phase shifts when the interlabial pad is folded. Applicants therefore submit that amended independent claim 1 is allowable. As dependent claims 2- 12 and 14 - 20 each depend either directly or indirectly from allowable claim 1, Applicants further submit that dependent claims 2- 12 and 14 - 20 are allowable for at least this reason.

CONCLUSION

Therefore, in view of the above amendments and remarks, it is respectfully requested that a Notice of Allowance as to all pending claims be issued in this case.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

By _____

Thomas J. Bean

Registration No.: 44,528
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant